IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 20469 of 2005(J)

PETITIONER:

C.K.BALAKRISHNAN, CONVENOR,
COMMITTEE CONSITUTED FOR NARATH KRISHI BHAVAN,
AND MALSYA BHAVAN, S/O.GOVINDAN NAMBIAR, KOLAPPALA
HOUSE, P.O.NARATH, KANNUR DISTRICT.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:
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1. **NARATH GRAMA PANCHAYATH, REP. BY ITS SECRETARY, KANNUR DISTRICT.**

2. **THE PANCHAYATH BOARD, REP.BY ITS PRESIDENT.**

3. **P.K.MOHAMMED, PWD CONTRACTOR/CHAIRMAN OF BENEICIARY COMMITTEE, PUTHERIKKAL HOUSE, P.O.NARATH, KANNUR DISTRICT.**

BY ADV. SRI.C.KRISHNAN(KANNUR)
SRI.K.C.SANTHOSH KUMAR
SMT.K.K.CHANDRALEKHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.20469 OF 2005-J

Judgment

The petitioner has approached this Court, praying for a direction to respondents 1 and 2 to disburse the amount he has expended in connection with the work of Narath Krishi Bhavan and Malsya Bhavan. Originally, he was the convenor of the beneficiary committee, who was awarded the work. He has to leave India and therefore, the third respondent was elected Chairman of the beneficiary committee and the said respondent completed the wok and received the payment from the panchayat. The petitioner submits, the amounts expended by him in connection with the contract work should have been released to him by the panchayat directly. The 1st respondent panchayat submits that the petitioner abandoned the work before its completion. Thereafter, the third respondent was engaged to complete the work. The bill amount was also paid to him. It is also pointed out that the bill for the part work done by the petitioner has already been paid to him by the panchayat.

2. The claim of the petitioner is disputed by the panchayat. Therefore, no direction can be issued by this Court under Article 226 of the Constitution of India. Accordingly, the Writ Petition is dismissed without prejudice to the contentions of both sides and the right of the petitioner to move other forums for appropriate reliefs.

22.01.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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